

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

NEW HEIGHTS FARM I, LLC, a Michigan
limited liability company, STACY BOERSEN,
NEW HEIGHTS FARM II, LLC, a Michigan
limited liability company, and NICHOLAS
BOERSEN,

Case No. 1:23-cv-663

Plaintiffs,

Hon.: Hala Y. Jarbour

v

GREAT AMERICAN INSURANCE COMPANY,
FEDERAL CROP INSURANCE CORPORATION, AND
UNITED STATES DEPARTMENT OF AGRICULTURE,

Defendants.

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**MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT
(Unopposed)**

NOW COMES Plaintiffs, Stacy Boersen, New Heights Farm I, LLC, Nicholas Boersen,
and New Heights Farm II, LLC, by and through their attorneys, and for their Motion For Leave
To File Second Amended Complaint pursuant to FRCiv.P 15 states as follows:

1. Plaintiffs commenced this action to recover crop insurance proceeds relating to their 2019
crop and related damages.

2. After filing the First Amended Complaint, Counsel for Plaintiff realized that the exhibits were not properly numbered in the Complaint and First Amended Complaint.
3. The proposed Second Amended Complaint corrects the exhibit numbering.
4. A copy of the proposed Second Amended Complaint is attached as required by LCiv.R 5.7(f).
5. FRCiv.P 15 (a)(2) provides:
 - a. for leave to amend when consented to by the opposing party or by leave of Court and
 - b. that leave should be freely given to when justice requires.
6. The only Defendant to appear as of this point is Great American Insurance Co. though its attorneys.
7. Defendant Great American Insurance Co. consented to leave to file the Second Amended Complaint as set forth in the stipulation filed on August 9, 2023 as ECF No. 21¹

Wherefore, Plaintiffs request that this Court grant them leave to file their Second Amended Complaint.

Dated: August 10, 2023

/s/ Ronald J. VanderVeen
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¹ The stipulation was denied by the Court due to failure to attached the proposed pleading. ECF No. 22